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PART IV

GOVERNMENT OF MEGHALAYA

DISTRICT COUNCIL AFFAIRS DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATIONS

The 17th December, 2007.

No.DC.III/GenI/3/84-07/116/10.—It is hereby notified for general information that, in exercise of the power confer under section 2 (n) of the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997 the Executive Committee, Khasi Hills Autonomous District Council, is pleased to appoint Shri D. G. Syiemiong Deputy Secretary, as “Registration Authority” for the purpose of exercising all or any of the powers, duties or functions of the registration authority under the said Act and the Rules made there-under.

Secretary to the Executive Committee,
Khasi Hills Autonomous District Council,
Shillong.

The 31st December, 2007.

No. DC.III/Law/35/2007/4.—In exercise of the powers conferred by Section 21 of The Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997 hereinafter called the “Principal Act”, the Executive Committee, Khasi Hills Autonomous District is pleased to make the following Rules for the purpose of effective implementation of the provisions of the Act, namely:-

THE KHASI HILLS AUTONOMOUS DISTRICT (KHASI SOCIAL CUSTOM OF LINEAGE) RULES, 2007.

1. Short title and Commencement – (1) These Rules shall be called The Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Rules, 2007.

(2) They shall have the like extent as the Principal Act.

(3) They shall come into force from the date of publication in the Gazette of Meghalaya.

2. Definitions – In these Rules unless there is anything repugnant to the subject and unless the context otherwise requires, words and expressions used in the Principal Act and not defined in these Rules shall have the same meaning as assigned to them in the Principal Act and further the following words and expression as respectively assigned hereunder:-

(a) “**Act**” means the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997.

(b) “**Form**” means a form appended to these Rules.

(c) “**Section**” means a section of the Act.

3. Every case of Tang Jait made under clause (c) of sub-section (1) of Section 3 and under any other provision of the Act shall be reported as soon as may be, to the Registration Authority under this Act, by the person performing or conducting it, duly confirmed by the Chief or Headman of the village or locality concerned and present in the ceremony and the report shall be in the format appended to these rules at *Appendix ‘A’*.

4. Application for Registration and Khasi Tribe certificate – (1) Every application for registration as a Khasi and to obtain a Khasi Tribe Certificate shall be presented to the Registration Authority in the format appended to these Rules at *Appendix ‘B’*.

(2) The application mentioned at sub-rule (1) above shall be filed in triplicate accompanied by verification and an affidavit by the applicant and a certificate from the Headman concerned.

(3) The Registration Authority on receiving such application shall satisfy itself as to whether the application is made as per the requirements of the Act and the Rules and may order for personal appearance of the applicant if so required at his/her own expense for the purpose of satisfying that the applicant is a Khasi and the burden of proof lies with the applicant.

(4) The Registration Authority shall dispose of the application so received at the earliest and not later than six months from the date of receipt of the application.

Provided that the period of adjournment taken, if any, by the applicant shall be excluded from the period of six months.

(5) In the event of the Registration Authority granting the registration, a Khasi Tribe Certificate shall be issued to the applicant as prescribed under *Appendix ‘C’* forthwith.

(6) If the Registration Authority refuses to grant registration and certificate applied for, the same shall be communicated to the applicant in writing stating the reasons therefore.

5. (1) Every application under Section 10 of the Act shall be submitted to the Registration Authority by the applicant desiring to forego or renounce his/her Khasi identity/status or challenging the Khasi status of any other person in writing alongwith his/her signature accompanied by an Affidavit in support of the contents of such application. Such application shall be accompanied by a receipt showing deposit of an application fee in favour of the District Council as may be prescribed by the Executive Committee from time to time, alongwith two extra copies of the application.

(2) On receipt of such application, the Registration Authority shall forthwith fix a date of hearing of the application and shall also notify such date alongwith the name of the applicant and a copy of the application in the notice board of the Office of the Registration Authority. In case of any complaint against the Khasi Status of any person, a copy of the Application shall also be served upon the person in respect of whom the complaint is made intimating him the date of hearing of the complaint.

(3) Every such application shall be disposed of by the Registration Authority after hearing in person the applicant as well as objector, if any and ascertaining his/her desire as well as the grounds stipulated under Section 10.

6. (1) Every application for change of Surname, Kur, Jait, or Clan of a Khasi shall be made by the person seeking such change or in the case of minor by his/her parent(s) or legal guardian, as the case may be to the Registration Authority in the prescribed form as per *Appendix 'D'* along with a receipt showing deposit of the application fee in favour of District Council as may be prescribed by the Executive Committee from time to time and two extra copies of the application.

(2) A copy of such application shall be affixed in the notice board of the office of the Registration Authority showing the next date for consideration of such application.

(3) On receipt of such application the Registration Authority shall require the applicant to issue public notice at his expense in local newspapers as stipulated under section 12 of the Act and specified by the Registration Authority; the first of such notice to be published within 15 days from the date of application and the second within 40 days thereafter at the cost of the applicant. The proof of such publication alongwith the newspaper shall also be filed by the applicant before the Registration Authority.

(4) Every application as referred to herein shall be disposed of by the Registration Authority within a period of six months from the date of publication of the second notice as stipulated hereinabove after hearing objection, if any. However, the period of adjournment granted at the instance of the applicant shall not be counted within this period of six months. In the event of allowing the application, the Registration Authority shall at the time of disposal of the application by his written order, also issue a certificate showing the change of name to the applicant in the prescribed form. All orders granting or refusing an application shall be accompanied by reasons therefore.

7. Appeal – (1) Any person aggrieved by the order of the Registration Authority under the provision of any of sections 6, 7, 8, 9, 10, and 12 of the Act or under any provision of these Rules may prefer an appeal before the Executive Committee as provided under section 13 of the Act and the decision of the Executive Committee shall be final.

(2) An appeal under sub-rule (1) above shall be filed within 90 days from the date the order is communicated or known to the aggrieved person and shall be accompanied by a petition fee as may be prescribed by the Executive Committee from time to time, along with certified copies together with extra copies of appeal petition.

Provided that the Executive Committee may condone the delay, if any, on good and sufficient reasons being shown by the Appellant to its satisfaction.

(3) On receipt of the appeal petition, the Executive Committee may call for the records from the Registration Authority, hear the aggrieved party and dispose of the appeal as early as possible and not later than six months from the date of receipt of the appeal petition. Provided that the period of adjournment taken, if any, shall not be included within the period of six months.

Provided that no appeal shall be finally disposed of without giving the appellant an opportunity of being heard.

(4) The Executive Committee may authorize any two of its members to hear and dispose of the appeal and anything heard, any act done or order passed by such members of the Executive Committee on the appeal shall be deemed to have been heard, done or passed by the Executive Committee.

8. (1) The Executive Committee on its own motion or on an application made by any person aggrieved, may requisition any record of any pending or finally decided proceeding of the Registration Authority and may pass such orders as may be deemed fit in terms of the provisions of the Act.

Provided always that no decision shall be rendered by the Executive Committee in exercise of powers vested herewith without giving notice and reasonable opportunity of hearing to such person(s) likely to be adversely affected by such decision.

(2) The Executive Committee may authorize any two of its Executive Members to conduct hearing and dispose of any proceeding under this Rule.

9. The Registration Authority shall keep a Register for making entries of the persons who had been registered as Khasis and obtained a Khasi Tribe Certificate or has been permitted to change surname etc., as per format prescribed at *Appendix 'E'* herewith.

10. The Registration Authority shall use his seal as per format prescribed at *Appendix 'F'* herewith and supplied by the Executive Committee.

11. Searches and copies of entries in Registered books – (1) The Registration Authority shall on payment of the prescribed fee, allow searches to be made in the register books kept for the purpose and shall give copy of the entry in the book.

(2) Every copy of the entry in the Register book given under this rule shall be certified by the Registration Authority under his own signature and seal and shall be admissible in evidence for the purpose of proving the Registration as Khasis to which the entry relates.

12. The Registration books shall be records of permanent importance and shall not be destroyed and shall be retained by the Registration Authority in his office for a period of 12(twelve) months after the end of each Calendar Year and shall thereafter be transferred for the safe custody to such officer as may be authorized by the Executive Committee in this behalf.

13. Any provision of these Rules including the Appendices and Schedules may be amended by the Executive Committee and such amendments shall come into force with effect from the date they are published in the Gazette of Meghalaya.

Chief Executive Member,
Khasi Hills Autonomous District Council,
Shillong.

APPENDIX - 'A'**(See Section 3(2) and Rule 3)**

To,

The Registration Authority,
Khasi Hills Autonomous District Council,
Shillong

Sir,

I have the honour to report that I have on the.....day
ofin the yearperformed and conducted the Tang Jait ceremony under clause (c) of
sub-section (1) of Section 3 of the Khasi Social Custom of Lineage Act, 1997 and the information and particulars
thereof are as follows :-

1. Name of person upon whom Tang Jait was made:
2. Address :
3. Father's name:
4. Father's clan/Kur/Jait :
5. Mother's name and title :
6. Mother's community :
7. Date, month and year in which Tang Jait was made:
8. Place on which Tang Jait was made:
9. Khasi Kur/Jait/Clan to which Tang Jait was made:
10. Khasi Kur/Jait/Clan to which a person belongs after the Tang Jait :
11. Name of the Chief/Headman who was present at the Tang Jait ceremony:

Signature of the person who performed
the Tang Jait

Certificate of confirmation by the Chief/Headman

Certified that the particulars made above are true and correct. The Tang Jait ceremony was
made onat.....in which I was also present and the same is hereby
confirmed by me.

Signature of Chief/Headman.

APPENDIX - 'B'
(See Section 6 / Rule 4)

To,

The Registration Authority
Khasi Hills Autonomous District Council
Shillong

Sir,

I beg to apply for registration and grant of Khasi Tribe Certificate in respect of myself/my son/my daughter/my adopted son/my adopted daughter/my nephew/my niece and furnish the facts as below and in case of any false statement/claim I am liable to any penal action as per the provision of law.

1. (a) Name in full of the applicant : (in block letters)
 (b) Name of the father/mother/husband of the applicant:
 (c) Present address of the applicant:
 (d) Permanent address of the applicant:
2. Particulars of the person for which registration is sought for:
 - (a) Name in full :(in block letters):
 - (b) Father's name in full:
 - (c) Father's clan/Kur/Jait:
 - (d) Place of birth of the Father:
 - (e) Mother's name in full:
 - (f) Mother's clan/Kur/Jait:
 - (g) Mother's place of birth:
 - (h) Father's community:
 - (i) Mother's community:
 - (j) Date of birth:
 - (k) Place of birth:
 - (l) Present address:
 - (m) Permanent address:
 - (n) Landed property if any:
 - (o) Whether married, if yes, community of spouse:
 - (p) Relation with the applicant:
 - (q) Whether he/she can speak Khasi in case the mother is a Khasi and the father a non-Khasi:
 - (r) Whether he/she had ever acquired the citizenship or nationality of any foreign country:

Date.....

Yours faithfully,

(Signature of Applicant)

VERIFICATION

Ison of / daughter ofresident of..... aged about.....by profession.....do hereby verify that the statements made in this Application are true to the best of my knowledge which I believe to be true and in verification I do put my hand on this verification on the place and date mentioned below.

Place:

Date:

Signature of Applicant

Recommendation:

APPENDIX - 'C'

Book No. _____

Sl. No. _____

**OFFICE OF THE EXECUTIVE COMMITTEE
KHASI HILLS AUTONOMOUS DISTRICT COUNCIL (KHADC)
Meghalaya, Shillong.**

KHASI TRIBE CERTIFICATE

(Under Rule 4 (5) of the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997)

THIS IS TO CERTIFY THAT U/Ka _____

Son/Daughter of Ka (Mother) _____

and U (Father) _____

of (Village) _____ of (Elaka) _____

of (District) _____, Meghalaya is a Member of Khasi
Tribe under the provisions of the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997.

GIVEN UNDER MY HAND, SEAL & AUTHORITY.

Dated, Shillong

The _____

(Name of Registration Authority)

Seal.

APPENDIX - 'D'**Application for change of Jait/Surname etc.
(See Rule 6 (1))**

To,

The Registration Authority
Khasi Hills Autonomous District Council
Shillong.

Sir,

I herewith apply for change of Jait/Surname of myself/my relation/clan as per details below: -

1.
 - (a) Name in full of the applicant (in block letters) :
 - (b) Name of the father/mother/husband of the applicant:
 - (c) Present address of the applicant:
 - (d) Permanent address of the applicant:
2. Particulars of the person for which registration is sought for:
 - a. Name in full :(in block letters):
 - b. Father's name in full:
 - c. Father's clan/Kur/Jait:
 - d. Place of birth of the Father:
 - e. Mother's name in full:
 - f. Mother's clan/Kur/Jait:
 - g. Mother's place of birth:
 - h. Father's community:
 - i. Mother's community:
 - j. Date of birth:
 - k. Place of birth:
 - l. Present address:
 - m. Permanent address:
 - n. Landed property if any:
 - o. Whether married, if yes, community of spouse:
 - p. Relation with the applicant:
 - q. Whether he/she can speak Khasi in case the mother is a Khasi and the father a non-Khasi:
 - r. Whether he/she had ever acquired the citizenship or nationality of any foreign country:

Date:

Signature of the Applicant

VERIFICATION

Ison of / daughter ofresident of..... aged about.....by profession.....do hereby verify that the statements made in this Application are true to the best of my knowledge which I believe to be true and in verification I do put my hand on this verification on the place and date mentioned below.

Place:

Date:

Signature of the Applicant

Recommendation:

APPENDIX - 'E'**(See Rule 9)****BOOK NO :**

SL. NO.	DATE OF ISSUE	NAME OF APPLICANT	MOTHER'S NAME	FATHER'S NAME	REMARK/SIGNATURE OF APPLICANT

APPENDIX - 'F'**(See Rule 10)**

The Registration Authority shall have a Seal as shown hereunder.

Registration Authority
Khasi Hills Autonomous District Council,
Shillong.